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BIRCH STEWART KOLASCH & BIRCH			JONES, HEATHER RAE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Response to Arguments

1. Applicant's arguments filed July 11, 2011 have been fully considered but they are not persuasive.

The Applicant argues that neither Tozaki et al. nor Weijenbergh et al. disclose that "the control information including a playback speed information and a maximum transfer rate information specifying a maximum transfer rate needed by an application". The Examiner respectfully disagrees. Tozaki et al. discloses in col. 14, lines 41-48 that the DVD includes the lowest reading rate which is required to reproduce the whole portion of the DVD at a same linear velocity as part of the reading rate information, which is set for the DVD based on the compression rate. Therefore, the reading rate information can read on the playback speed information. Weijenbergh et al. discloses in Fig. 7 in byte 1 the disc size and maximum transfer rate (col. 8, lines 19-24). Furthermore, Weijenbergh et al. discloses in Fig. 7 bytes 32 and 33, which are the reference and maximum reading velocities (col. 9, lines 3-15) that are used to help determine the maximum reading powers disclosed in bytes 36-41 (col. 9, lines 23-51). Therefore, the playback speed information is made up of the reference and maximum recording velocities along with the maximum reading power, which are clearly distinguished in Fig. 7 since both sets of information are stored on the disc and the maximum transfer rate is made up of the information found in byte 1 of Fig. 7. Therefore, the combination of Tozaki et al. in view of Weijenbergh et al.

discloses the claim limitations as discussed above and the rejection is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2481

HRJ
July 24, 2011
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2481